

## DISMISSAL ORDER

1. **DISMISSES** this action without prejudice pursuant to RCFC 41(b).
2. **DIRECTS** the Clerk's Office to **ENTER** final judgment **DISMISSING** the complaint, without prejudice;

3. **DENIES** as moot plaintiff's motion to proceed *in forma pauperis*; and
4. **DENIES** as moot the government's motion to dismiss.

**IT IS SO ORDERED.**

s/ Lydia Kay Griggsby  
LYDIA KAY GRIGGSBY  
Judge